

CALIFORNIA COASTAL COMMISSION

PUBLIC ACCESS PROGRAM
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4865
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PREScriptive RIGHTS STUDY
PUBLIC USE QUESTIONNAIRE AND DECLARATION

26th AVENUE and MORAN LAKE BEACH-BLUFF PROPERTY
PLEASURE POINT AREA OF SANTA CRUZ COUNTY

Dear Coastal Visitor or Resident:

The State of California is investigating public uses made of a beach-bluff property located on the downcoast side of the Moran Lake outlet at 26th Avenue Beach in Santa Cruz County. The land owners have submitted a coastal development permit application for the construction of a two-story house on this site. This State investigation is for the purpose of determining whether any public rights exist on the site by reason of past public use.

Enclosed is a Questionnaire and a Fact Sheet briefly describing the framework and purpose of a Prescriptive Rights Study. Attached to the questionnaire are graphics showing the beach and the surrounding area. If you have any knowledge about public use of this area, we would greatly appreciate it if you would take a few moments to fill out and return the enclosed Questionnaire and Declaration. A return-addressed envelope is provided for your convenience. See <http://www.coastal.ca.gov/access/prc-access.html> for colored graphics of the site. If you are downloading this electronically, please sign and mail the original to the undersigned at the above address.

We recognize that the Questionnaire, with its accompanying graphics, may appear at first glance to be somewhat complicated. However, furnishing the requested information is critical to the determination of whether there has been sufficient use of the area to establish public rights of use.

Please direct any questions or additional comments to Joy Chase at 831-427-4865 or email jchase@coastal.ca.gov. Thank you for taking the time to participate in this study.

Very truly yours,

Joy Chase
Coastal Access Analyst

Enclosures
10/02

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PLEASURE POINT AREA OF SANTA CRUZ COUNTY

The State of California is investigating uses of a portion of a beach-bluff property at "26th Avenue Beach". This beach is at the mouth of Moran Lake in the Pleasure Point area of Santa Cruz County. The specific area in question is the undeveloped bluff immediately downcoast of the Moran Lake drainage outlet and concrete weir. The site has also been known as the Machutes site, the property owners at the time the house on the site was washed out to sea by major storm waves in January 1983. The aerial photograph on Exhibit 1 shows the site with parked cars in 1987. The investigation is for the purpose of determining whether any public rights exist on this property by reason of public use. Your answers to this Questionnaire and Declaration will be appreciated. For an electronic version of this questionnaire, go to <http://www.coastal.ca.gov/access/prc-access.html>.

Name (Print) _____

Address: _____ City: _____

State: _____ Zip: _____ Telephone (Home): _____

Telephone (Work) _____ Email Address: _____

Occupation: _____ Age: _____

1. Have you personally and openly used any of the bluff and beach study area shown on the attached photograph, map or diagram? ____ If so, since what date? _____
 2. Please mark the areas of your use on the enclosed photograph, map or diagram and date and sign the same. In marking the photograph, map or diagram, please try to pinpoint the locations and indicate the types of use and approximate dates.
 3. Please describe the uses you have made of this area (for example: sightseeing, boating, fishing, swimming, hiking, picnicking, parking, skin diving, access to water or beach, etc.)
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4. Approximately how many times have you used this area?

5. Did you ever ask for and receive permission to use the area.? _____

6. Did anyone ever interfere in any way with your use? _____

7. Have you observed others using this area? _____

If so, for what purposes? _____

How often have you seen other members of the public using this area?

Whenever I was there: _____ Frequently: _____

Occasionally: _____ Rarely: _____ Never: _____

On these occasions, usually there were approximately _____
people present on any one occasion (Indicate number or range.)

8. Do you know the names of the other people who have used this area?
If so, please list them with their addresses and telephone numbers, if
known.

9. Do you possess or know of the existence and/or whereabouts of items
such as photographs, logs, diaries, notebooks, letters, etc. relating to
your use of the area or the uses of other people? Is so, please describe
the items and list the name of parties or locations where such items can
be found:

10. Did you make use of this area as you would public property? If so, please explain.

11. Have you ever observed any no trespassing signs or equivalent signs, or signs giving permission to utilize the property? _____ If so, when and where

12. Have you ever lived or worked in this vicinity? _____ If so, when and where?

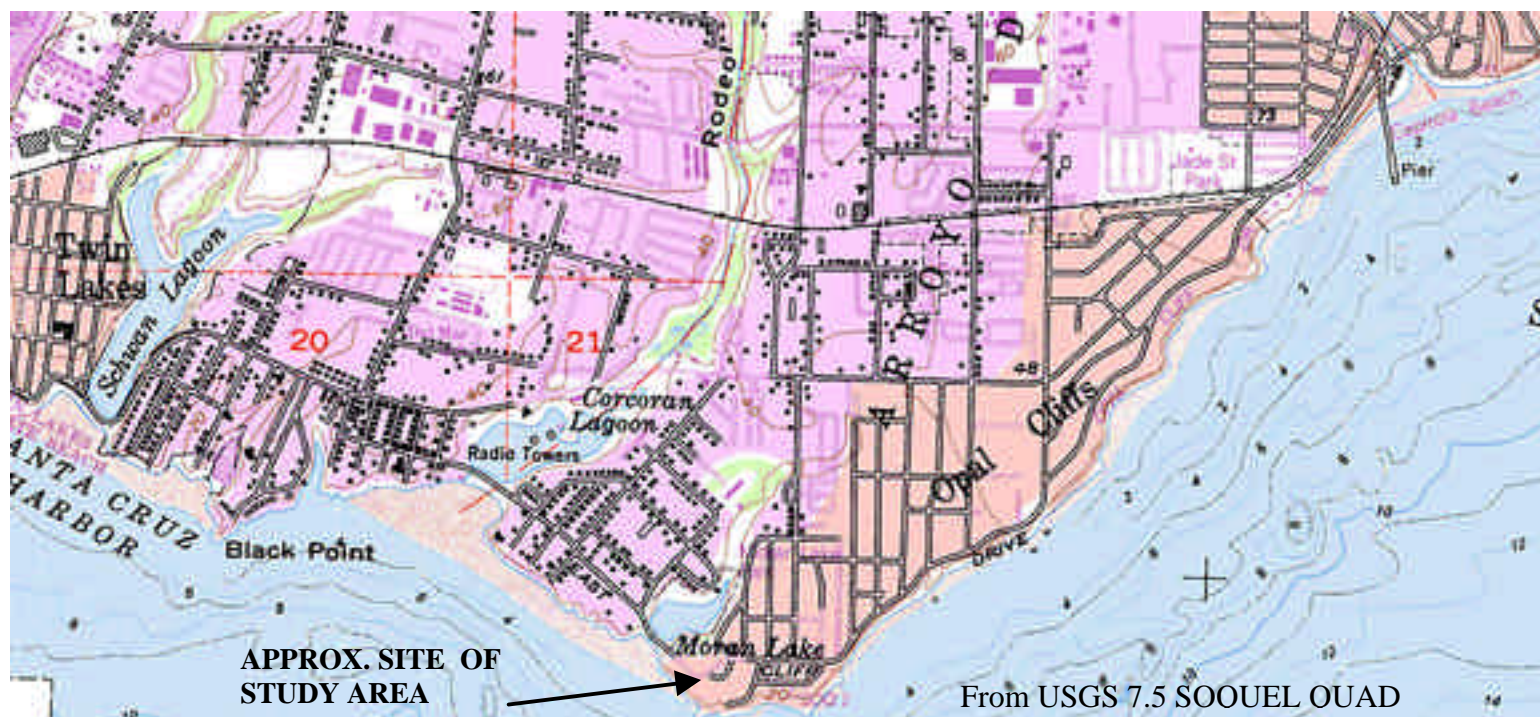
I declare under penalty of perjury that any answers to the foregoing Questionnaire and Declaration are true and correct to the best of my recollection.

Dated at: _____ on _____
City and State Date

Signature: _____

The information contained in this questionnaire is subject to public disclosure and will not be kept confidential unless requested by the signatory in writing.

26TH AVENUE AND MORAN LAKE BEACH-BLUFF PROPERTY
PLEASURE POINT AREA OF SANTA CRUZ COUNTY
LOCATION GRAPHICS EXHIBIT 1

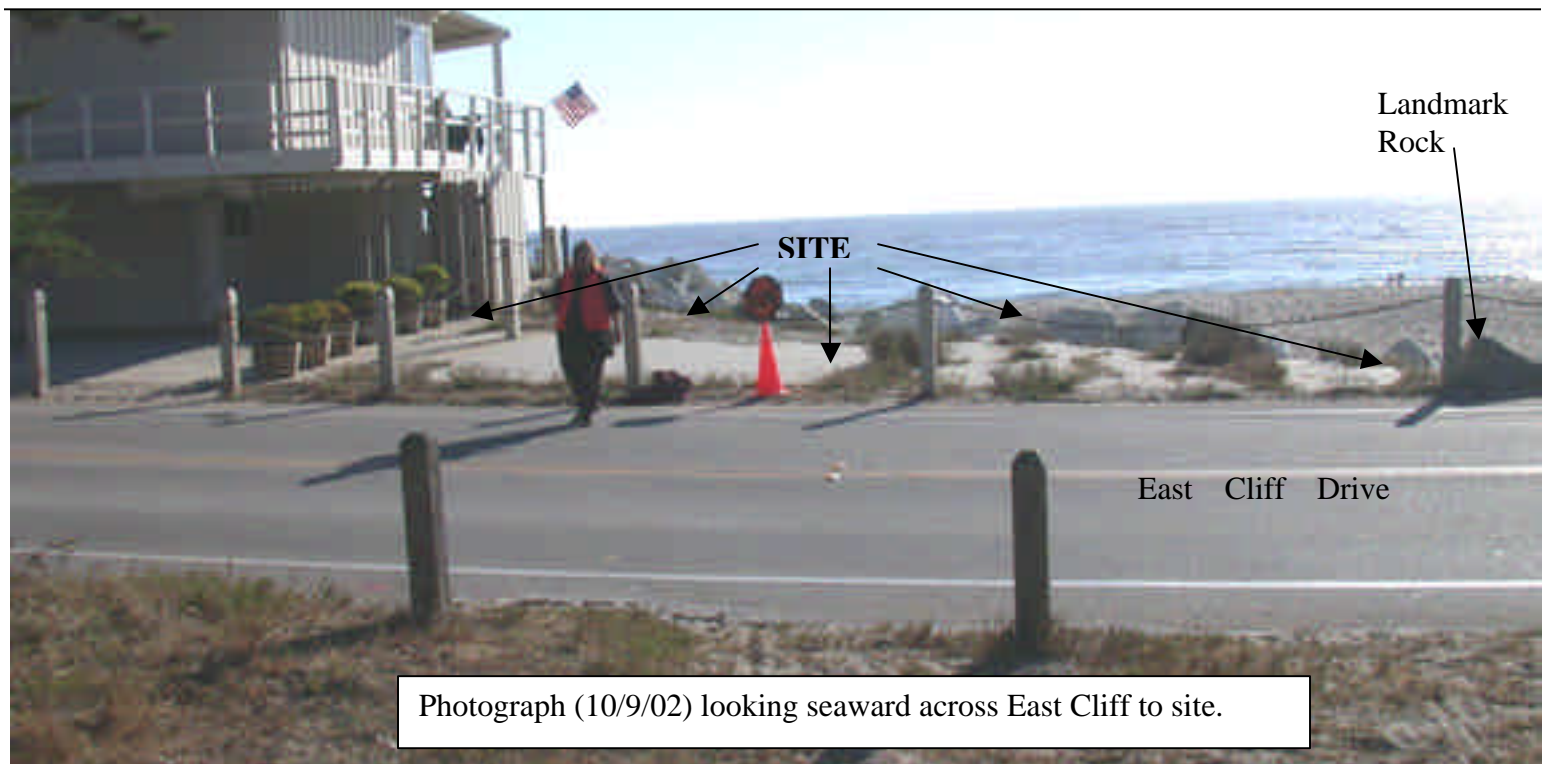
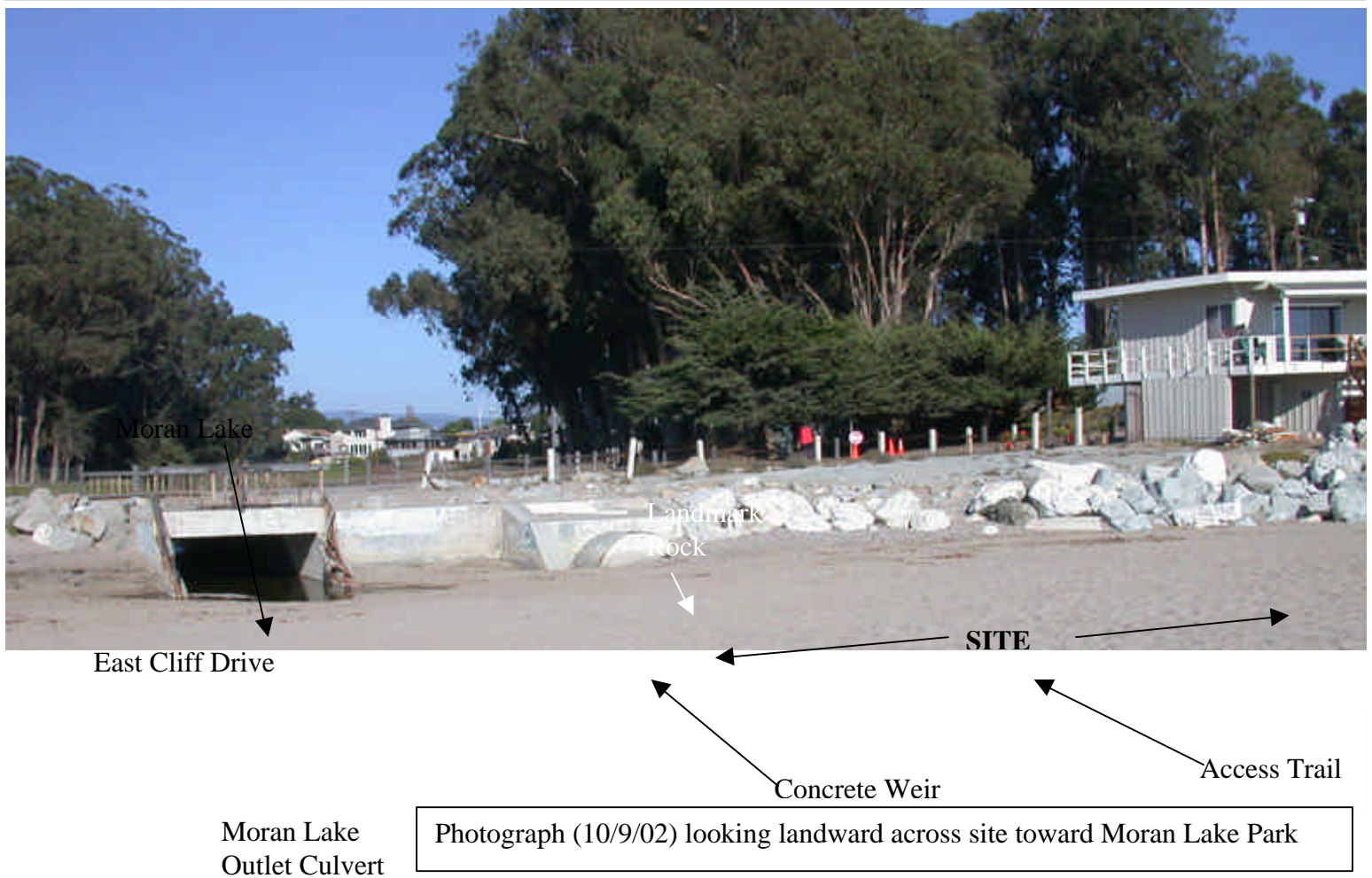


NEIGHBORHOOD LOCATION MAP



1987 SANTA CRUZ COUNTY COLOR OBLIQUE AERIAL PHOTOGRAPHY 12-180

California Coastal Commission Prescriptive Rights Study Public Use Questionnaire
26TH AVENUE AND MORAN LAKE BEACH-BLUFF PROPERTY
PLEASURE POINT AREA OF SANTA CRUZ COUNTY
ORIENTATION PHOTOGRAPHS EXHIBIT 2



California Coastal Commission Prescriptive Rights Study Public Use Questionnaire
26TH AVENUE AND MORAN LAKE BEACH-BLUFF PARCEL
PLEASURE POINT AREA OF SANTA CRUZ COUNTY
PHOTOGRAPH OF STUDY AREA SITE EXHIBIT 3



PLEASE MARK YOUR AREAS OF USE ON THIS PHOTOGRAPH

Have you personally and openly used any of the bluff/beach within the white dashed area outlined above. Please mark all areas that you have used. Also mark your access trails to the beach. Try to pinpoint the locations and indicate the dates and types of use (viewing, sunbathing, surfing, walking, swimming, picnicking, nature study, etc.). Did you park on this site? If you parked outside the photograph, please describe where (e.g., Moran Lake Park parking lot, residential streets, etc.). Sign and date below.

SIGNATURE _____ DATE _____